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HOUSE BILL 1907 By
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SENATE BILL 1877
By Cohen

AN ACT to require posting poison signs on the perimeter of all public or private properties and military facilities promulgated or voluntarily placed on the National Priority List "Superfund Site" located within one mile of a public or private school and to enact the "Superfund Sign Act of 1997".

WHEREAS, the children of the state of Tennessee are placed at risk by toxic waste and hazardous waste sites that pose imminent danger to human health and the environment; and

WHEREAS, such children should be made aware of such sites; now, therefore,
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The title of this act is, and may be cited as, the "Superfund Sign Act of 1997".

SECTION 2. It is the intention of the general assembly to employ a statewide system of toxic awareness to protect children from toxic and hazardous contamination.

SECTION 3. As used in this act, unless the context otherwise requires:

(1) "Public or private school" means an educational facility within the state of Tennessee assigned to such category by the board for licensing educational institutions of the department of education.

(2) "Poison signs" means metal signs in conspicuous places with the word danger and the skull-and-crossbone symbol printed on them.

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SECTION 4. After the effective date of this act the department of environment and conservation shall post poison warning signs, along the border of any facility noted on the national priority list superfund sites and along the border of ditches and creeks originating and/or adjacent to the facility.

SECTION 5. A violation of this act is a Class A felony, punishable by a fine of five thousand dollars (\$5,000) per day for each day violation continues.

SECTION 6. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 7. This act does not affect rights or duties that matured, liabilities or penalties that were incurred, or proceedings begun before its effective date.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.